

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA
Western Division

U.S.A. vs. Amber S. Sparling

Docket No. 5:14-MJ-1860-1

Petition for Action on Probation

COMES NOW Debbie W. Starling, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of, Amber S. Sparling, who, upon an earlier plea of guilty to Driving While Impaired Level 5, in violation of 18 U.S.C. 13, assimilating N.C.G.S. 20-138.1, was sentenced by the Honorable Kimberly A. Swank, U.S. Magistrate Judge on February 4, 2015, to a 12-month term of probation under the conditions adopted by the court. On February 20, 2015, the defendant's conditions of supervision were modified to include the drug aftercare condition due to marijuana use on February 18, 2015.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: Prior to the modification on February 20, 2015, the defendant had been instructed to begin her treatment through Raintree Clinic immediately in order to address her treatment needs until a modification could be made to provide additional services as needed. On March 11, 2015, the defendant admitted that she was struggling to maintain her sobriety and had reused marijuana. She stated that due to transportation issues, she had not begun treatment services through Raintree Clinic. She has since been referred to Unlimited Access for intensive out-patient substance abuse counseling, and drug testing has been increased to detect any future drug use. As a punitive sanction, it is respectfully recommended that her conditions of supervision be modified to include 60 days of home detention, to be supported by electronic monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to her residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer. The defendant must pay all of the cost of the program.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

/s/ Robert L. Thornton

Robert L. Thornton

Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Debbie W. Starling

Debbie W. Starling

U.S. Probation Officer

310 Dick Street

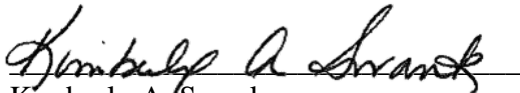
Fayetteville, NC 28301-5730

Phone: 910-483-8613

Executed On: March 12, 2015

ORDER OF THE COURT

Considered and ordered this 13th day of March, 2015 and ordered filed and made a part of the records in the above case.



Kimberly A. Swank
U.S. Magistrate Judge

FOR JUDGE'S VIEW ONLY

DO NOT FILE



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